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PATENT  
Customer No. 22,852  
Attorney Docket No. 8940.0038-00000

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
Ernestine LEE et al. )  
) Group Art Unit: 1653  
Application No.: 10/591,451 )  
)  
§ 371 Filing Date: September 4, 2007 ) Examiner: Not Yet Assigned  
International Filing Date: March 1, 2005 )  
)  
For: HUMAN cDNA CLONES ) Confirmation No.: 9377  
COMPRISING )  
POLYNUCLEOTIDES ENCODING )  
POLYPEPTIDES AND METHODS )  
OF THEIR USE )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the Office's attention the documents listed on attached Form PTO/SB/08. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application. Copies of the listed documents, other than U.S. patents, are attached. Applicants respectfully request that the Examiner consider the documents listed on attached Form PTO/SB/08 and indicate that they were considered by making an appropriate notation on this form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed

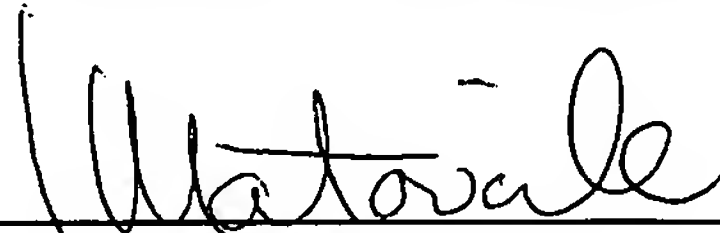
documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: January 15, 2008

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